

**United States Bankruptcy Court
Eastern District of Pennsylvania**

In re:

Anthony J. Costanzo,
Kimberly A. Katchen-Costanzo,

Debtors.

Case No. 24-11448-AMC

Chapter 13

**Debtors' Response to Trustee's
Motion to Dismiss Pursuant to 11 U.S.C. Section 1307**

AND NOW, Debtors Anthony J. Costanzo and Kimberly A. Katchen-Costanzo, by and through their attorney, hereby respond to the Motion to Dismiss Pursuant to 11 U.S.C. Section 1307 filed by Trustee Scott F. Waterman.

The Debtors oppose the motion. The Debtors have proposed an amended plan that is feasible according to amended Schedule J. The proposed plan will pay 100% to unsecured creditors, after all claim objections are sustained.

NOW, THEREFORE, the Debtors ask this Court to deny the motion in the form of order attached. If the Court decides to grant the motion notwithstanding the Debtors' objection, it should do so in the form of order attached and retain jurisdiction over plan payments in the trustee's possession.

Date: August 22, 2024

CIBIK LAW, P.C.
Counsel for Debtors

By: /s/ Michael A. Cibik
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Certificate of Service

I certify that a true and correct copy of the Debtors' Response to the Trustee's Motion to Dismiss Pursuant to 11 U.S.C. Section 1307 was served on Scott F. Waterman through the CM/ECF system along with all attachments.

Date: August 22, 2024

/s/ Michael A. Cibik